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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PERITAS BRANDS, LLC,

Plaintiff,

v.

LEAPHIGH ANIMALS, LLC,

Defendant.

Case No. 2:23-cv-00483-GMN-DJA

**STIPULATION TO EXTEND DEADLINE
FOR PLAINTIFF TO FILE ITS (1)
REPLY IN SUPPORT OF ITS MOTION
FOR PARTIAL SUMMARY JUDGMENT
(ECF 37); AND (2) RESPONSE TO
DEFENDANT'S MOTION TO DISMISS
(ECF 41)**

(First Request)

Plaintiff, PERITAS BRANDS, LLC ("Plaintiff" or "Peritas"), and Defendant, LEAPHIGH ANIMALS, LLC, ("Defendant" or "Leaphigh") by and through their respective counsel hereby stipulate and agree as follows:

1. On September 14, 2023, Plaintiff filed a Motion for Partial Summary Judgment of Non-Infringement (ECF 37).
2. On October 16, 2023, Defendant filed its Opposition to Plaintiff's Motion for Partial Summary Judgment of Non-Infringement (ECF 42).
3. On October 16, 2023, Defendant filed a Motion to Dismiss the First, Second, Fourth and Fifth Counts of Plaintiff's Amended Complaint (ECF 16) for Lack of Subject Matter Jurisdiction (ECF 41).

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4. Plaintiff's (1) Reply in Support of its Motion for Partial Summary Judgment of Non-Infringement and (2) Response to Defendant's Motion to Dismiss the First, Second, Fourth, and Fifth Counts of Plaintiff's Amended Complaint (ECF 16) for Lack of Subject Matter Jurisdiction, are both currently due on October 30, 2023.

5. The parties stipulate and agree to extend the deadline for Plaintiff to file its (1) Reply in Support of its Motion for Partial Summary Judgment of Non-Infringement and (2) Response to Defendant's Motion to Dismiss the First, Second, Fourth, and Fifth Counts of Plaintiff's Amended Complaint (ECF 16) for Lack of Subject Matter Jurisdiction for a period of two weeks from October 30, 2023, to November 13, 2023.

6. The parties' request for an extension for Plaintiff's Reply and Response briefs is necessitated due to Plaintiff's counsel's scheduling conflicts, including an out-of-state hearing and an out-of-state deposition in other matters and possible jury duty, and therefore Plaintiff's counsel requires the additional time to prepare the Reply and Response briefs.

7. The parties respectfully submit that their request is made in good faith and good cause exists to grant the requested extensions.

DATED: October 26, 2023.

HOLLAND & HART LLP

/s/ Robert J. Cassity

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Attorneys for Defendant Leaphigh Animals, LLC

ORDER

IT IS SO ORDERED.



U.S. DISTRICT/MAGISTRATE JUDGE
Dated: October 27, 2023